

**875—220.103(91D) “Same type of services” defined.**

**220.103(1)** Employees may volunteer their services in one capacity or another without contemplation of pay for services rendered. The phrase “same type of services” means similar or identical services. In general, the duties and other factors contained in the definitions of the three-digit categories of occupations in the Dictionary of Occupational Titles will be followed in determining whether the volunteer activities constitute the “same type of services” as the employment activities. Equally important in the determination will be the consideration of all the facts and circumstances in a particular case, including whether the volunteer service is closely related to the actual duties performed by or responsibilities assigned to the employee.

**220.103(2)** Reserved.

SOURCE: 29 CFR 553.103.